

# BEAVERTON POLICE DEPARTMENT

# GENERAL ORDER

NUMBER: 10.02.01  
SUBJECT: Confidential Informants  
EFFECTIVE: April 10<sup>th</sup>, 2000  
REVIEW: 2001, 2002, 2003, 2004, 2005

- A. PURPOSE. To provide guidelines for the control and use of confidential informants (CI).
- B. POLICY. The Beaverton Police Department anticipates and encourages members to develop informants to assist the Department in its effort to reduce or solve crime and gather intelligence information. Management of the Confidential Informant files will be the responsibility of the Intelligence Unit/ Officer.
- C. DEFINITIONS.
  - A. Informant: A person who is under the direction of specific officers, with or without expectations of compensation, who furnishes information on specific crimes or criminal activity. Persons under the age of eighteen years shall be used as an informant only with the written consent of a parent or guardian, and with concurrence of a supervisor.
  - B. Confidential Informant File: A secure file maintained by the Criminal Intelligence Unit in order to document all information that pertains to confidential informants.
- D. PROCEDURES. Establish a Confidential Informant File System.
  - A. A member of the Criminal Intelligence Unit shall be responsible for developing and maintaining master informant files and an indexing system.
  - B. A file shall be maintained on each Confidential Informant used by any officer. Each file shall be coded with an assigned informant control number and shall contain the following information:
    - 1) Informants name;
    - 2) Criminal history records, if any;
    - 3) Photograph, if possible;
    - 4) Biographical and background information;

- 5) Payments made to informant;
- 6) Information received from informant;
- 7) The nature of the informant's operational involvement within the agency;
- 8) A code name or number of the informant; and
- 9) The file security classification.

C. Use of Informants.

- 1) Before using an individual as an informant, an officer must receive initial approval from a supervisor who is authorized to do so. After the officer receives initial approval to use an individual as an informant, a confidential informant file shall be opened.
- 2) The officer shall compile sufficient information through a background investigation in order to determine the reliability and credibility of the individual. The informant's reliability may be established by, but not limited to, the following:
  - a. Verifying the reliability already established by other law enforcement agencies where the informant has provided information.
  - b. Verifying reliability already established through another member of the Beaverton Police Department.
  - c. Use of the informant in a controlled situation.
  - d. Corroborate information provided by the informant through independent investigation.

Once reliability has been established the informant may be used and compensated by members of the Department for information in the furtherance of an investigation.

- 3) Informants are assets of the Police Department and are not for exclusive use of a particular officer.
- 4) Informant's knowledge of the Police Department operations, facilities, and personnel shall be kept at a minimum.
- 5) At least two officers should be present during any contact with the informant unless otherwise authorized by a supervisor.
- 6) Informants must not be allowed to control the course of an investigation as the result of their activities.
- 7) All informants are required to sign and abide by the provisions of the departmental informant agreement. The officer utilizing the informant

shall discuss each of the provisions of the agreement with the informant, with particular emphasis on the following:

- a. Informants are not law enforcement officers. They have no arrest powers, are not permitted to conduct searches and seizures, and may not carry a weapon;
  - b. Informants will be arrested if found engaging in an illegal activity. They will receive no special legal considerations; and
  - c. Informants are considered an agent of the police. Informants are not to take, and the department will not condone, any actions that may be considered entrapment. Entrapment occurs where the informant encourages, persuades, or otherwise motivates a person to engage in criminal activity.
- 8) No member of this agency shall knowingly maintain a social relationship with an informant at any time, or otherwise become personally involved with informants. Members of this agency shall not solicit, accept gratuities, or engage in any private business transactions with an informant.

D. Payment of Informants.

- 1) Informants are to be paid out of the Criminal Investigations Cash Fund, which is the responsibility of the Criminal Investigation Supervisor.
  - 2) A Confidential Funds Voucher will be filled out by the paying officer identifying the amount of money to be paid, what the expenditure is for, and is to be signed by both the paying officer and informant. The informant may sign the voucher with their code name or number in order to protect their identity.
  - 3) Copies of the voucher will then be given to the Criminal Investigations Supervisor, the Special Operations Lieutenant, and a copy placed into the informant's confidential file.
- E. Retention of Confidential Files. The retention of Confidential Files will be consistent with the Archives Division of the Oregon Administrative Rules, Chapter 166. The minimum retention is until the file(s) are superseded or obsolete.

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Chief of Police

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Date

